

SOLICITATION/CONTRACT/ORDER FOR COMMERCIAL ITEMS

OFFEROR TO COMPLETE BLOCKS 12,17,23,24 & 30

1. REQUISITION NUMBER

5000019065

PAGE 1 OF

7

2. CONTRACT NO.

3.AWARD/EFFECTIVE DATE

4. ORDER NUMBER

5. SOLICITATION NUMBER

MT755-06

6. SOLICITATION ISSUE DATE

08/30/2006

7. FOR SOLICITATION
INFORMATION CALL:

a. NAME

John S. Odom

b. TELEPHONE NUMBER (No collect calls)

202-514-4903

8. OFFER DUE DT/LOCAL TIME

09/20/2006 2:00PM

9. ISSUED BY

CODE

UNICOR, FPI Central Office
320 First Street NW
Washington, DC 20534

10. THIS ACQUISITION IS

☒ UNRESTRICTED☐ SET ASIDE 0 % FOR☐ SMALL BUSINESS☐ SMALL DISADV.BUSINESS☐ 8(A)

SIC: 3353

11. DELIVERY FOR FOB
DESTINATION UNLESS
BLOCK IS MARKED☐ SEE SCHEDULE☐ 13a. THIS CONTRACT IS A RATED ORDER
UNDER DPAS (15 CFR 700)

13b. RATING

14. METHOD OF SOLICITATION

☐ RFQ☐ IFB☒ RFP

15. DELIVER TO

CODE

UNICOR FPI
14601 Burbridge Road S. E.
CUMBERLAND, MD 21502
USA

16. ADMINISTERED BY

CODE

UNICOR, FPI Central Office
320 First Street NW
Washington, DC 20534

17a. CONTRACTOR/OFFEROR

CODE

999999999

FACILITY CODE

-
-
-, DC

TELEPHONE NO. TIN:

RFQ: 6200004811

18a. PAYMENT WILL BE MADE BY

CODE

UNICOR FPI Central Acct Payable
P. O. Box 4000
BUTNER, NC 27509-4000,
USA☐ 17b. CHECK IF REMITTANCE IS DIFFERENT AND PUT SUCH ADDRESS IN OFFER

18b. SUBMIT INVOICES TO ADDRESS SHOWN IN BLOCK 18a UNLESS BLOCK BELOW

IS CHECKED ☐

SEE ADDENDUM

19.

ITEM NO.

20.

SCHEDULE OF SUPPLIES/SERVICES

21.

QUANTITY

22.

UNIT

23.

UNIT PRICE

24.

AMOUNT

See Section B

25. ACCOUNTING AND APPROPRIATION DATA

26. TOTAL AWARD AMOUNT (For Govt. Use Only)

☒ 27a. SOLICITATION INCORPORATES BY REFERENCE FAR 52.212-1, 52.212-4, FAR 52.212-3 AND 52.212-5 ARE ATTACHED. ADDENDA☒ ARE ☐ ARE NOT ATTACHED☐ 27b. CONTRACT/PURCHASE ORDER INCORPORATES BY REFERENCE FAR 52.212-4, FAR 52.212-5 IS ATTACHED. ADDENDA☐ ARE ☐ ARE NOT ATTACHED28. CONTRACTOR IS REQUIRED TO SIGN THIS DOCUMENT AND RETURN 1 COPIES
TO ISSUING OFFICE. CONTRACTOR AGREES TO FURNISH AND DELIVER ALL ITEMS SET
☒ FORTH OR OTHERWISE IDENTIFIED ABOVE AND ON ANY ADDITIONAL SHEETS SUBJECT TO
THE TERMS AND CONDITIONS SPECIFIED HEREIN.29. AWARD OF CONTRACT: REFERENCE _____
OFFER DATED _____. YOUR OFFER ON SOLICITATION (BLOCK 5),
☒ INCLUDING ANY ADDITIONS OR CHANGES WHICH ARE SET FORTH HERIN,
ACCEPTED AS TO ITEMS:

30a. SIGNATURE OF OFFEROR/CONTRACTOR

31a. UNITED STATES OF AMERICA (SIGNATURE OF CONTRACTING OFFICER)

30b. NAME AND TITLE OF SIGNER (TYPE OR PRINT)

30c. DATE SIGNED

31b. NAME OF CONTRACTING OFFICER (TYPE OR PRINT)

31c. DATE SIGNED

08/30/2006

John S. Odom 202-514-4903

32a. QUANTITY IN COLUMN 21 HAS BEEN

☐ RECEIVED ☐ INSPECTED ☐ ACCEPTED, AND CONFORMS TO THE
CONTRACT EXCEPT AS NOTED

33. SHIP NUMBER

34. VOUCHER NUMBER

35. AMOUNT VERIFIED
CORRECT FOR☐ PARTIAL☐ FINAL

36. PAYMENT

☐ COMPLETE☐ PARTIAL☐ FINAL

37. CHECK NUMBER

32b. SIGNATURE OF AUTHORIZED GOVT. REPRESENTATIVE

32c. DATE

38. S/R ACCOUNT NUMBER

39. S/R VOUCHER NUMBER

40. PAID BY

42a. RECEIVED BY (Print)

41a. I CERTIFY THIS ACCOUNT IS CORRECT AND PROPER FOR PAYMENT

41b. SIGNATURE AND TITLE OF CERTIFYING OFFICER

41c. DATE

42b. RECEIVED AT (Location)

42c. DATE REC'D (YY/MM/DD)

42d. TOTAL CONTAINERS

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Terms of delivery: DST

CONTRACT TERM/TYPE: This solicitation is for a 2-year requirements contract.

ITEMS SOLICITED: See below.

ESTIMATED USAGE: See below.

DELIVERY POINT: Cumberland, MD, FOB Destination.

TIME FOR DELIVERY: Delivery orders will be issued in accordance with FAR 52.216-19; delivery is required within 30 calendar days after receipt of order by contractor.

OFFEROR'S DUN & BRADSTREET (DUNS) NUMBER: _____

NO INCREMENTAL PRICING WILL BE ACCEPTED.

DATES OF IMPORTANCE:

1. UNPRICED PROPOSALS ARE DUE ON 9/20/2006 AT 2:00 PM EDT.
2. PRACTICE REVERSE AUCTION WILL BE HELD ON 9/28/2006 AT 11:00 AM EDT.
3. LIVE REVERSE AUCTION WILL BE HELD ON 9/29/06 AT 11:00 AM EDT.

SECTION B SUPPLIES OR SERVICES AND PRICES/COSTS

<u>Item No.</u>	<u>SUPPLIES OR SERVICES</u>	<u>Quantity</u>	<u>U/M</u>	<u>UNIT PRICE</u>	<u>AMOUNT IN US\$</u>	<u>PR Number</u>	<u>Del.Date</u>
00001	SHA6016	316,038.072	LB			5000019065	
	ALU,ROLL,12"X6800'X.022",ALLOY-3105-H-18						
	Aluminun is required to be conversion coated.						

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This is a combined synopsis/solicitation for commercial items prepared in accordance with the format in Subpart 12.6 as supplemented with additional information included in this notice. This announcement constitutes the only solicitation; offers are being requested and a written solicitation will not be issued. The solicitation number is MT755-06 and this solicitation is issued as a Request For Proposals (RFP). The solicitation document and incorporated provisions and clauses are those in effect through Federal Acquisition Circular 2005-12. The North American Industry Classification System code is 331315. This requirement is unrestricted. UNICOR, Federal Prison Industries, Inc., intends to enter into a two-year, firm-fixed-price, requirements contract for the following commercial item:

0001 ALUMINUM, ROLL, 12# X 6800 X 0.022#, ALLOY 3105-H-18, CONVERSION COATED. ESTIMATED QUANTITY FOR THE LIFE OF CONTRACT IS 996,968 FEET.

Required delivery shall be 30 calendar days or sooner from receipt of each delivery order issued for these line items.

The following FAR clauses and provisions apply to this acquisition:

52.211-16, Variation in Quantity of TEN percent (10%) increase or TEN percent (10%) decrease, applied to the quantity per line item in each delivery order.

52.212-1, Instructions to Offerors Commercial Items;

52.212-2, Evaluation - Commercial Items, significant evaluation factors are past performance, ability to conform to specifications and price. Past performance and ability to conform to specifications are significantly more important than price. Quality, delivery, and customer service will be evaluated under past performance;

52.212-4(d), Contract Terms and Conditions - Commercial Items (DEVIATION). NOTE: This contract is not subject to the Contract Disputes Act of 1978, as amended (41 U.S.C. 601-613), as stated in Clause 52.212-4. Disputes arising under or relating to this contract shall be resolved in accordance with clause FAR 52.233-1 Disputes (JUL 2002) (DEVIATION), which is incorporated herein by reference. The Contractor shall proceed diligently with performance of this contract, pending final resolution of any dispute arising under the contract. To view the full text clause FAR 52.233-1 Disputes (JUL 2002) (DEVIATION), go to www.unicor.gov, select FPI Contracting Opportunities, then select About Procurement on the dropdown menu and click on it. Select Contracting Disputes Deviation under For Vendors and click on it ;

52.212-5, Contract Terms and Conditions Required to Implement Statutes or Executive Orders - Commercial Items, which includes 52.203-6, Restrictions on Subcontractor Sales to the Government, with Alternate I; 52.232-33, Payment of Electronic Funds Transfer - Central Contractor Registration; and 52.225-1 Buy American Act-Balance of Payments program-Supplies;

52.216-18, Ordering, orders may be issued under the resulting contract from the date of award through TWO (2) years thereafter;

52.216-19, Order Limitation FAR 52.216-19 (a) minimum delivery order of 1 ROLL each for line item; (b)(1) max delivery order for single item in excess of 20 ROLLS for line item; (b)(2) any order for a combination of items in excess of 20 ROLLS, contractor will not be obligated to honor. Contractor will not be obligated to honor a series of orders from the same ordering office, within a 15 day period that together call for quantities exceeding the maximum order limitations. However, the contractor shall honor orders exceeding the maximum order limitations unless the order(s) are returned to the ordering office within seven calendar days after issuance with a written statement expressing the contractors intent not to ship;

52.216-21, Requirements - applies until 30 calendar days after contract validity end date;

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52.232-18, Availability of Funds;

52.247-34, F.O.B. Destination, delivery shall be FOB destination to UNICOR Cumberland, 14601 Burbridge Rd., Cumberland, MD 21502. The COTR is James Gill, 301/784-1000, Ext. 3011

Local clause FPI 1000H1 Economic Price Adjustment applies: Six months after contract award date, and every six months thereafter, contract prices for the succeeding six-month period may be adjusted in accordance with the change in the Producer Price Index for Aluminum Sheet (Producer Price Index Series ID:WPU10250105) using the simple percentage method described in the U.S. Department of Labor, Bureau of Labor Statistics September 1991, Report 807, titled #Escalation and Producer Price Indexes: A Guide for Contracting Parties#. IT IS THE CONTRACTORS RESPONSIBILITY TO REQUEST THIS ADJUSTMENT. Adjustments may be requested for a period not to exceed 30 days after the eligible adjustment date. Requests that are made after the 30-day limit will not be honored and the contract pricing will not be adjusted. The contractor shall submit any requests for adjustments in writing to the contracting officer. Requests shall include a copy of the relevant index and must be within the allowed time period for adjustment. Any adjustments authorized as a result of the adjustment request will not be retroactive. The date the completed request is received by the contracting officer will be the effective date of any changes in price. The contractor also is required to request downward price adjustments. All downward adjustments will be retroactive to the authorized adjustment date as specified in this clause. If downward price adjustments are not requested and this is later revealed through audits or otherwise, the contractor shall reimburse the Government the amount overcharged plus interest. Interest will be computed at the rate set annually by the Secretary of the Treasury for late contract payments. Interest will accrue from the date the adjustment should have been made. In computing any contract price adjustment, the most recently published index as of the date of award will be compared to the most recently published index as of the date of adjustment. No adjustment shall be made if the referenced change is less than 2%. Total upward adjustment for the contract period, including any option periods, shall not exceed 10%, based on the original or option period contract price; downward adjustments are not limited. Indices are available from the Bureau of Labor Statistics, 2 Massachusetts Ave. NE, Washington, DC 20212, telephone 202/691-7705 or www.bls.gov.

REVERSE AUCTION PROCEDURES

I. General

For the purpose of expediting price-related discussions, the Contracting Officer has opted to conduct a competitive, anonymous on-line reverse auction using Global eProcure. UNICOR has contracted with Global eProcure to conduct the reverse auction for this solicitation. HOWEVER, THE ON-LINE REVERSE AUCTION SHALL NOT BE CONSTRUED TO IMPLY THAT THIS SOLICITATION IS BEING CONDUCTED UNDER THE PROCEDURES SET FORTH AT FAR PART 14, SEALED BIDDING. Rather, this solicitation is being conducted under the procedures set forth at FAR Part 12, Acquisition of Commercial Items, in conjunction with the policies and procedures for solicitation, evaluation and award prescribed in FAR Part 15, Contracting by Negotiation.

During the auction, offerors will provide pricing through submission of electronic offers via the Global eProcure website. The primary pricing competition for this solicitation will be through the online reverse auction. Global eProcure will explain this process in detail and train each qualified offeror prior to the reverse auction through a simulated reverse auction. Qualified offerors will have the ability to submit revised pricing during the auction in response to prices submitted by other offerors. The identity of offerors will not be revealed to other offerors during the auction. The final such revision during the auction will be considered the offeror's final proposal. The Contracting Officer reserves the right to conduct verbal or written discussions with respect to factors other than price with the offerors at any time prior to award.

Only offerors that have been determined qualified will be permitted to participate in the auction. Offerors who are deemed not qualified will be notified by the Contracting Officer. QUALIFIED OFFERORS WILL BE CONTACTED DIRECTLY BY GLOBAL EPROCURE VIA EMAIL REGARDING PARTICIPATION IN THE REVERSE AUCTION. THE CONTACT AT GLOBAL EPROCURE WILL BE

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RINKI SINGH, 732/382-6565, EXT.1034, EMAIL rinki.singh@globaleprocure.com. OFFERORS ARE NOT TO SUBMIT PRICING WITH THEIR INITIAL PROPOSALS. Offerors should submit all the required information stated below, except for pricing by the deadline for submissions on September 20, 2006 at 2:00 PM EDT. Pricing will only be accepted through the reverse auction.

II. TRAINING OF OFFERORS

Global eProcure will train designated employees for each offeror using real time mock auctioning to familiarize the offeror's employees with the on-line auctioning system. Detailed bidding, event guidelines and directions will be emailed to interested offerors prior to the practice and the live bidding event. The date and time of the practice reverse auction will be on September 28, 2006 at 11:00 AM EDT.

III. REVERSE AUCTION: THE AUCTION

a. During the reverse auction, offerors may revise their initial pricing proposal through submission of electronic offers during the anonymous reverse auction. This reverse auction shall constitute discussions with the offerors. The final such revision during the reverse auction will be considered the offeror's Final Revised Proposal.

b. The Contracting Officer reserves the right to suspend or cancel the reverse auction at any time. If the Contracting Officer cancels the reverse auction, Final Revised Proposals will be requested by an amendment to the solicitation.

c. Notwithstanding FAR 52.215-5, offerors will submit revised pricing only through the online mechanism supplied by Global eProcure. Offerors will not submit revised pricing via any other mechanism including but not limited to post, courier, fax, Email, or orally unless specifically requested by the Contracting Officer.

d. The reverse auction bidding period shall be set by the Contracting Officer as indicated in Section IV, Paragraph (a). Electronic offers shall be submitted by offerors during the reverse auction period. The reverse auction is designed to extend the closing time of a bidding lot if there are any bids placed in the final 2 minutes of the bidding lot. If a bid is placed within the last 2 minutes of the closing time, the time period shall be extended for two additional minutes beyond the scheduled closing.

e. Any offeror experiencing difficulties during a reverse auction must notify Global eProcure immediately. Difficulties include any event or problem which interferes with the offeror's ability to participate in the reverse auction and may include but is not limited to: data entry errors, software problems or hardware problems. If the Contracting Officer judges that any offeror has been disadvantaged by a problem, they may direct Global eProcure to address the problem and return the lot to #Open# status.

f. Any and all offeror contact with Global eProcure is for the sole purpose of facilitating the reverse auction and shall not be considered discussions with the offeror with the meaning of FAR Part 15.

g. For purposes of FAR 52.203-2, and in accordance with subparagraph (c) thereof, submission of a proposal by the offeror shall be considered certification by the offeror that the only knowing disclosure by the offeror of its prices to any other offeror will be during the reverse auction. The offeror further certifies that disclosure by the offeror of its prices during the reverse auction shall not be for the purpose of restricting competition.

h. UNICOR reserves the right to reject any or all quotes received for any or all lots.

IV. AUCTION RULES

a. The date and time of the practice reverse auction will be September 28, 2006 at 11:00 AM EDT. The date and time

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of the Live Reverse Auction will be September 29, 2006 at 11:00 AM EDT. The reverse auction shall be designated as REVERSE AUCTION MT755-06. The reverse auction shall commence at 11:00 AM EDT.

b. Only qualified offerors will be permitted to submit electronic quotes through the reverse auction. Quotes that offerors submit through the reverse auction are legally binding offers without qualification. Quotes may not be cancelled or withdrawn except for data entry errors. Contractors must submit their quotes through the online bidding mechanism supplied by Global eProcure and not through any other mechanism including but not limited to post, courier, fax, Email, or orally.

PROPOSAL SUBMISSION REQUIREMENTS: Each proposal package shall consist of the following completed and signed documents: SF1449, all amendments issued, three Business Management Questionnaires of recent and relevant contracts for the same or similar items iaw FAR 52.212-1(b)(10) for past performance evaluation, a completed copy of FPI 1000K2 Subcontract Certification (large businesses only), and an ACH form. A completed ACH form must accompany the offer for the offer to be considered for award. Blank ACH forms and Business Management Questionnaire forms can be downloaded from www.unicor.gov; click on FPI Procurement Opportunities, place your cursor on About Procurement, then move your cursor over to Forms and click on it.

Effective October 1, 2003, ALL contractors MUST be registered on the Central Contractor Registration (CCR) and must remain registered through final payment on the contract. For additional information and to register, go to www.ccr.gov. Offerors responding to this solicitation must be registered on CCR for their offers to be considered for award.

In accordance with FAR 4.1201(a), prospective contractors shall complete electronic annual representations and certifications at <http://orca.bpn.gov> in conjunction with required registration in the Central Contractor Registration (CCR) database (see FAR 4.1102). (b) Prospective contractors shall update the representations and certifications submitted to ORCA as necessary, but at least annually, to ensure they are kept current, accurate, and complete. The representations and certifications are effective until one year from date of submission or update to ORCA. To make a change that affects only one solicitation, contractors are required to complete the appropriate sections of FAR 52.212-3(j) or 52.204-8, whichever is included in the solicitation.

ALL contractors MUST be registered at time of award with the Contractor Performance System at <http://cps.od.nih.gov>. Click on the hypertext link #Registration for Existing Contracts# under #Contractor Information#. Read the information provided on the page and click on the hypertext link <https://cpscontractor.nih.gov>. This will put you at the login screen of the Contractor Performance System. On the right side of the screen you will see the question, #Registered to the NEW CPS yet?# under #Bulletins#. Click on the hypertext link #here# and enter the required information. If you have questions, contact Technical Support at cps-support-1@list.nih.gov or call JoAnn, Paulette, or Alex at 301/451-2771.

Vendors shall submit signed and dated offers either by facsimile, hand delivery or overnight delivery (FedEx, UPS, etc.). Facsimile number is 202/305-7360. Any of the overnight delivery carriers will be accepted with delivery to: 400 First Street N.W., 7th Floor, Washington, DC 20534, ATTN: John Odom. Due to security considerations, do not send offers via U.S. mail. Offers should be submitted on the SF1449. OMB Clearance 1103-0018.

The date and time for receipt of proposals is September 20, 2006 at 2:00 PM Eastern Daylight Time. Offer must indicate Solicitation No. MT755-06, time specified for receipt of offer, name, address and telephone number of offeror, technical description of the items being offered in sufficient detail to evaluate compliance with the requirements in the solicitation, terms of any expressed warranty, price and any discount terms. Offer must include a completed copy of representations and certifications at FAR 52.212-3, and acknowledgment of all amendments, if any.

Please note that all offers that fail to furnish required representations and certifications or past performance information or reject the terms and conditions of the solicitation may be excluded from consideration. The Government

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may make award without discussions; therefore the offeror's initial offer should contain its best pricing.

Award(s) will be made based on best value to the Government with past performance significantly more important than price. NO INCREMENTAL PRICING WILL BE ACCEPTED.

Any amendments issued to this solicitation shall be synopsized in the same manner as this solicitation and must be acknowledged by each offeror. Offeror must hold prices firm for 60 calendar days from the date specified for receipt of offers. Offers or modifications to offers received at the address specified for the receipt of offers after the exact time specified may not be considered.

Future requirements for these or similar items from this or other UNICOR factories may be added to the resulting contract if considered to fall within the scope of work and the price is determined to be fair and reasonable.

Questions regarding this requirement may be addressed in writing to John Odom, at jodom@central.unicor.gov. All FAR forms, clauses and provisions necessary to submit an offer may be accessed at the following web site:

<http://arnet.gov/far>. This combined synopsis/solicitation and necessary forms are available on web site:

http://www.unicor.gov/fpi_contracting/about_procurement/forms/pdfs/bmg.pdf or <http://www.fbo.gov>